

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

BEVERLY SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:05CV1773 RWS
	)	
QUICK TRIP CORPORATION,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before me on Defendant's Motion to Compel Deposition of Plaintiff Beverly Smith [#19]. Plaintiff has failed to timely oppose the motion. As a result, the motion will be granted, and counsel for Plaintiff shall make Plaintiff available for deposition no later than July 19, 2006.

Defendant also requests a modification of the Case Management Order to allow for an independent medical examination after she is deposed. The Case Management Order shall be amended so that any request for independent medical examination must be made no later than July 31, 2006, and any exam must be made no later than September 1, 2006.

Failure to comply with this Order may result in the imposition of sanctions.

Accordingly,

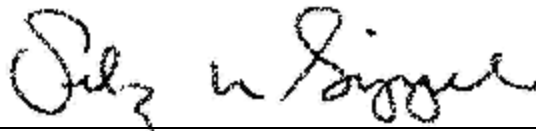
**IT IS HEREBY ORDERED** that Defendant's Motion to Compel

Deposition of Plaintiff Beverly Smith [#19] is **GRANTED**.

**IT IS FURTHER ORDERED** that counsel for Plaintiff shall make Plaintiff available for deposition no later than **July 19, 2006**.

**IT IS FURTHER ORDERED** that any request for physical or mental examinations pursuant to Fed. R. Civ. P. 35 must be made no later than **July 31, 2006**, and any exam must be made no later than **September 1, 2006**.

Dated this 12th day of July, 2006.

A handwritten signature in black ink, appearing to read "Rodney W. Sippel", written over a horizontal line.

RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE